

**Remarks**

In the present application, amendments to claims 1, 12, 21 and 22 are being offered. Claims 1 to 10, 12 to 19, 21 and 22 remain pending. Entry of the amendments, and reexamination and reconsideration in light of the amendments are respectfully requested.

**Telephone Interview**

On May 10, 2004, the Examiner and Applicants' representative Alan Stewart conducted a telephone interview to discuss the cited prior art and the application of the reference to the pending claims. Agreement was reached regarding the definition of terms and recitation of elements in the claims and the corresponding elements in the reference. This Amendment and Response After Final is being prepared in light of the telephone interview.

**Substantive Rejections**

The Examiner rejected the pending claims under 35 U.S.C. §102(b) as anticipated by Penso, U.S. No. 3,684,056. These rejections are respectfully traversed.

Claim 1 as amended recites, in part, that a retractable column includes at least two section chains each having a plurality of section pivotably connected to each other. At least one chain connection member extends outwardly from each section. The chain connection members couple directly to one another to link each section chain to the adjacent section chain.

In contrast, Penso discloses that a pair of chains 31 are positioned on each side of the machine and that the chains are spaced apart. Each chain 31 includes hooks 45 which engage an upper internal cross bar 61 of a scaffolding section 60. Hooks 45 of the two chains 31 on each side are spaced apart and are not positioned in such a manner that the hooks 45 can directly couple to each other.

For at least these reasons, Applicants submit that the cited prior art cannot anticipate the amended claim 1 and that entry of the amendment to claim 1 will place claim 1 in condition for immediate allowance.

Claims 2 to 10 depend from and further limit claim 1. For at least the same reasons cited above with regard to claim 1, Applicants submit that claims 2 to 10 are not anticipated by the prior art and are in condition for immediate allowance.

Claim 12 as amended recites, in part, a retractable column that can be stored on a take up mechanism including at least two section chains, each section chain with a plurality of sections pivotably connected in a line. A first connection member extends in a horizontal manner and a second connection member extends in an offset fashion from each section. First connection members of one chain directly attach to second connection members of the second section chain.

As discussed above with regard to claim 1, Penso discloses chains 31 which are spaced apart from each other and hooks 45 attached to the chains. The hooks 45 extend horizontally out from the chain and there is no disclosure that any hooks extend in an offset manner from chain 31. Chains 31 are positioned so that it is impossible for hooks 45 of one chain 31 to directly attach to hooks 45 of a second chain 31.

For at least these reasons, Applicants submit that the cited prior art cannot anticipate the amended claim 12 and that entry of the amendment to claim 12 will place claim 1 in condition for immediate allowance.

Claims 13 to 19 depend from and further limit claim 12. For at least the same reasons cited above with regard to claim 12, Applicants submit that claims 13 to 19 are not anticipated by the prior art and are in condition for immediate allowance.

Claim 21 as amended recites, in part, an apparatus for raising a retractable column including at least two section chains. The section chains are positioned so that they may be raised and lowered concurrently and the raising and lowering of each section chain acting to directly couple each section chain to the adjacent section chain to form a column.

As noted above, Penso discloses a pair of chains 31 with hooks 45. However, the chains are positioned such that it is impossible for a chain 31 to directly couple to an adjacent chain 31. Hooks 45 do not extend far enough to engage another chain 31 and there is no disclosure that such a configuration may be possible or desirable.

For at least these reasons, Applicants submit that the cited prior art cannot anticipate the amended claim 21 and that entry of the amendment to claim 21 will place claim 1 in condition for immediate allowance.

Claim 22 as amended recites, in part, a retractable column for supporting an overhead structure including at least two section chains with a plurality of sections pivotably connected in a line. A first hook is attached to each section and extends in a horizontal manner. A second hook is attached to an opposite side of each section from the first hook and the second hook

extends in an offset manner. The first hook of each section is adjacent to the second hook on an adjacent section. As the sections are raised, the first and second hooks of adjacent sections form an interlocking engagement to directly bind each section chain to the adjacent section chain.

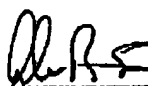
As noted above, the chains 31 and hooks 45 of Penso cannot possibly be directly connected to each other. Penso also does not disclose a second hook on each section which extends in an offset manner.

For at least these reasons, Applicants submit that the cited prior art cannot anticipate the amended claim 22 and that entry of the amendment to claim 22 will place claim 1 in condition for immediate allowance.

If the Examiner has any questions regarding the above Amendment and Response After Final, the Examiner is invited to contact Applicants' representative Alan Stewart at 612.371.5376.

Respectfully submitted,  
MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Date: May 11, 2004

By:   
Name: Alan R. Stewart  
Reg. No.: 47,974  
ARS:pll

**Merchant & Gould**

An Intellectual Property Law Firm

3200 IDS Center  
80 South Eighth Street  
Minneapolis, Minnesota  
55402-2215 USA  
TEL 612.332.5300  
FAX 612.332.9081  
www.merchant-gould.com

Fax Transmission | May 11, 2004

A Professional Corporation

**RECEIVED**  
**CENTRAL FAX CENTER**

MAY 13 2004

TO: Commissioner for Patents  
Attn: Examiner A. Phi Dieu Tran  
Patent Examining Corps  
Facsimile Center  
Washington, D.C. 20231

FROM: Alan R. Stewart

OUR REF: 14389.1USU1  
TELEPHONE: 612.371.5376

**OFFICIAL**USPTO Centralized Facsimile No.: 1-703-872-9306Total pages, including cover letter: 11.

If you do NOT receive all of the pages, please telephone us at 612.336.4771, or fax us at 612.332.9081.

Title of Documents Transmitted: 1. Petition for Extension of Time.  
2. Amendment and Response After Final Office Action mailed  
January 27, 2004.

Applicant:	Steven A. Olsen	Our Ref. No.:	14389.1USU1
Serial No.:	09/960,537	Confirmation No.:	5282
Filed:	September 21, 2002	Customer No.:	23552
Group Art Unit:	3637		

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By: ARS  
Name: Alan R. Stewart  
Reg. No.: 47,974  
ARS:pll

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Patricia L. Larrimore  
Signature (Patricia L. Larrimore)

May 11, 2004  
Date